

FILED

FEB 22 2016

BOARD OF MASSAGE
AND BODYWORK THERAPY

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

IN THE MATTER OF THE
APPLICATION OF

SHUNYU CUI
a/k/a SHUN Y. CUI

TO PRACTICE MASSAGE AND
BODYWORK THERAPY IN THE
STATE OF NEW JERSEY

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Administrative Action

FINAL ORDER
DENIAL OF LICENSURE

This matter was opened to the New Jersey State Board of Massage and Bodywork Therapy ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Shun Yu Cui was denied licensure by means of a Final Order of Denial of Certification/Licensure entered on February 27, 2013. The basis for denial of her application was that Ms. Cui had engaged in misrepresentation on her application based upon her failure to disclose an arrest in 2007 on charges of prostitution, which resulted in a plea of guilty to a municipal ordinance violation. In addition, she failed to provide an adequate response to the request that she indicate the facts and circumstances that resulted in her arrest, in violation of N.J.A.C. 13:45C-1.2, -1.3..

2. In June of 2013, Shunyu Cui a/k/a Shun Y Cui again applied for licensure to practice massage and bodywork therapy in the State of New Jersey.

3. Ms. Cui was arrested again on July 5, 2013 in New York and charged with prostitution. The charges were dismissed. Respondent admitted that at the time of the arrest, she was practicing massage therapy without a license.

CONCLUSIONS OF LAW

1. The conduct that led to in Ms. Cui's 2013 arrest, i.e., the practice of massage therapy without a license, relates adversely to the practice of massage and bodywork therapy in violation of N.J.S.A. 45:1-21(f).

Based on the foregoing findings and conclusions, a Provisional Order of Denial of Licensure was entered on December 30, 2015, provisionally denying Ms. Cui's application for licensure, with no subsequent application for licensure to be entertained for a period of two years. A copy of the Order was served upon Ms. Cui at her address of record by certified and regular mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th day following entry unless Ms. Cui requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting the applicant's request for consideration and reasons therefor.

The record reflects that the Provisional Order that was sent by certified mailing was signed for. The regular mailing was not returned. No response has been received to date. As the mailings were sent to Ms. Cui's address of record with the Board, this

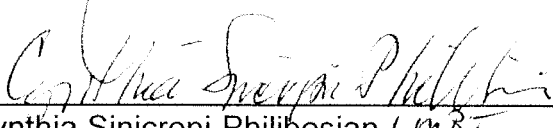
indicates that service has been effected. Moreover, as no discrepancies have been raised with respect to the findings and conclusions of the Provisional Order, additional proceedings are not necessary, and the Provisional Order is to be made final.

... ACCORDINGLY, IT IS on this 22nd day of February, 2016,
ORDERED that:

1. Ms. Cui's application for licensure as a massage and bodywork therapist is hereby denied. The Board will not entertain any subsequent application for licensure from respondent for a period of two years, dating from the filing of this Order.

NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

By:


Cynthia Sinicropi-Philibosian, L.M.B.T.
Board Chairperson